

ON-LINE ZONING ORDINANCE DISCLAIMER

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ARTICLE 13.000 PLANNED UNIT DEVELOPMENT DISTRICTS

Text current through Ordinance
#1288 of September 12, 2005

- 13.10 PUD AT KENDALL SQUARE: DEVELOPMENT CONTROLS
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- 13.70 PLANNED UNIT DEVELOPMENT IN THE NORTH POINT RESIDENCE DISTRICT

13.10 PUD AT KENDALL SQUARE: DEVELOPMENT CONTROLS

- 13.11** *Purpose.* The PUD-KS district is intended to provide for the creation of a mixed-use district of high quality general and technical office and retail activity, with a significant component of residential use. The creation of a large public park is desired. The PUD-KS district permits larger scale development and supporting commercial activities close to Kendall Square and the major public transit services located there. It encourages strong linkages between new development at Kendall Square, the East Cambridge riverfront, and the PUD-KS area and the neighborhoods of eastern Cambridge, facilitated in part by a strong retail presence along Third Street. Development in the PUD-KS district should be generally consistent with the policy objectives set forth in the Eastern Cambridge Plan and the guidance provided in the Eastern Cambridge Design Guidelines.

- 13.12** *Uses Allowed in a PUD-KS District.* The uses listed in this Section 13.12, alone or in combination with each other, shall be allowed upon permission of the Planning Board. The amount and extent of uses may be further regulated and limited as set forth elsewhere in this Section 13.10.

13.12.1 Residential Uses

(1) Townhouse Development. Any special permits for parking arrangements for townhouse development required by Section 11.10 shall be granted by the Planning Board in a Planned Unit Development in a PUD-KS district.

(2) Multifamily dwellings.

13.12.11 Transient Residential Uses

For the purposes of this Section 13.10, the following Transient Residential Uses shall be considered non-residential uses

(1) Hotels or motels

- 13.12.2** Transportation, Communication, Utility and Institutional Uses. All uses listed in sections 4.32 and 4.33 and which are allowed or conditionally allowed in the base

zoning district. Telephone exchange use set forth in 4.32 g (1) shall be permitted provided that any facility having a floor area greater than four hundred (400) square feet shall only be permitted in a building in existence as of June 1, 2001 that, if vacant, has not been occupied by a residential use in the five years immediately preceding the time of application for a Certificate Of Occupancy for the proposed use, or if occupied, the current use is any office and laboratory use, Section 4.34; any retail business and consumer service establishment, Section 4.35; any light industry, wholesale business or storage use, Section 4.37; or any heavy industry use, Section 4.38.

13.12.3 Office and Laboratory Uses. All uses listed in Section 4.34.

13.12.4 Retail Business and Consumer Service Establishments. The following retail uses shall be permitted, provided that the total amount of retail GFA in the District does not exceed 70,000 square feet and no individual establishment exceeds ten thousand (10,000) square feet of Gross Floor Area unless the Planning Board determines in writing that more retail GFA and establishments of a greater size better serve the residents within the PUD district and in adjacent districts and better advance the policies set forth in the Eastern Cambridge Plan and the Eastern Cambridge Design Guidelines.

- (1) Stationery and office supply store.
- (2) Printing and reproduction service establishment, photography studio.
- (3) Other store for retail sale of merchandise located in a structure primarily containing non-retail use provided no manufacturing, assembly or packaging occur on the premises.
- (4) Barber shop, beauty shop, laundry and dry-cleaning pick-up agency, shoe repair, self-service laundry or other similar establishments.
- (5) Restaurants or other eating and drinking establishments listed in Subsection 4.35 e, f, and g.
- (6) Theater or hall for public gatherings.

13.12.5 Institutional Uses. All uses listed in Section 4.33 f and g.

13.12.6 Other Uses. Any use not listed in subsections 13.12.1 through 13.12.4, otherwise allowed in a Business B District may be allowed by the Planning Board only upon written determination by the Board that such use is consistent with the objectives of the PUD-KS district and the policies and guidelines set forth in the ECaPS Plan.

13.13 *District Dimensional Regulations.*

13.13.1 Permitted FAR. In the PUD-KS District the maximum ratio of floor area to Development Parcel shall be 3.0, subject to the further use limitations set forth below in Section 13.13.11.

13.13.11 Limitations on Non-Residential Development. In the PUD-KS District all non-residential uses shall be further limited as set forth below. Where the amount of non-residential Gross Floor Area (GFA) is limited to a percentage of the total GFA

authorized, the calculation shall be based on GFA authorized exclusive of any GFA that may be constructed as a result of the application of the FAR bonuses permitted in Section 11.200 or any GFA devoted exclusively to structured parking.

(1) For any lot or combination of lots held in common ownership as of June 1, 2001 having in total an area of less than five acres, the total GFA devoted to non-residential uses shall not exceed ten (10) percent of the total GFA authorized in a PUD for that portion of a PUD Development Parcel containing such lot or lots, or any portion thereof. This limitation shall apply to each Development Parcel individually. This limitation shall not apply to any individual lot created subsequent to the Planning Board approval of the PUD Final Development Plan.

Notwithstanding the above limitations, additional non-residential GFA shall be permitted as set forth in Paragraph (3) below.

(2) For any lot or combination of lots held in common ownership as of June 1, 2001 having in total an area of more than five (5) acres, the total GFA devoted to non-residential uses shall not exceed sixty (60) percent of total GFA authorized, inclusive of any GFA otherwise exempt from the provisions of the Cambridge Zoning Ordinance in a PUD for that portion of a PUD Development Parcel containing such lot or lots, or any portion thereof. This limitation shall not apply to any individual lot created subsequent to the Planning Board approval of the PUD Final Development Plan.

Notwithstanding the above limitations, additional non-residential GFA shall be permitted as set forth in Paragraph (3) below.

At least ninety-five (95) percent of the authorized non-residential GFA must be located on the portion of said lot or lots having an Office 2 base district designation.

However, where circumstances related to the transfer of property from the federal government to other governmental or private entities (for the purpose of private development on a portion or all of the land in the control of the federal government) the Planning Board may in its discretion approve a Final Development Plan providing GFA in excess of sixty (60) percent of the authorized GFA in the PUD provided it is conclusively demonstrated to the Planning Board that all residential GFA required to be developed on such lot or lots in their entirety, by this Paragraph, has already been constructed.

(3) For the entire PUD-KS district, the first 50,000 square feet of retail and customer service uses authorized in total in all approved PUDs shall not be counted toward the non-residential GFA limitations of Paragraphs (1) and (2) above provided the GFA is located on the ground floor of a multistory building, fronts on and has a public entrance onto Third Street, Broadway, or a public park, and for each individual establishment the GFA does not exceed 10,000 square feet.

13.13.2 Minimum Development Parcel Size. The minimum size of a Development Parcel within the PUD-KS shall be the greater of (1) 40,000 square feet or (2) seventy-five percent of the area of a lot or combination of lots (a) in existence as of June 1, 2001 and (b) held in common ownership where it is proposed to incorporate any portion of such lot or lots within the Development Parcel. A Development Parcel within the PUD-KS may contain noncontiguous lots elsewhere in the PUD-KS district or within a contiguous PUD district. There shall be no specified minimum lot size for lots located within a Development Parcel.

However, where circumstances related to the transfer of property from the federal government to other governmental or private entities (for the purpose of private development on a portion or all of the land in the control of the federal government)

limit the feasibility of creating a Development Parcel meeting the size requirements of this Section 13.13.2, the Planning Board may in its discretion approve a PUD application having a smaller Development Parcel size.

13.13.3 Residential Density. For the purpose of computing residential density, the minimum lot size for each dwelling unit shall be three hundred (300) square feet. Residential density shall be computed based on the entire development parcel.

13.13.4 Maximum Building Height.

13.13.41 The maximum height permitted in the district shall be sixty-five (65) feet except as it may be further limited or permitted below. The permitted heights are further illustrated on the Building Height Regulation Map for the PUD-KS, Map 13.11.

(1) Additional Building Height to Eighty-Five Feet. The maximum height shall be eighty-five (85) feet in the areas described below:

(a) An area bounded by the centerlines of Fifth Street, Monroe Street, Third Street and Potter Street.

(b) An area bounded by the centerline of Potter Street and its northwesterly extension; then the centerline of the former Sixth Street (the MXD district boundary line); then a line northeasterly of, parallel to and two hundred (200) feet distant from the northeasterly sideline of Broadway; then a line northwesterly of, parallel to, and three hundred (300) feet distant from the northwesterly sideline of Third Street, to the point of beginning.

(2) Additional Building Height to One Hundred and Twenty Feet. The maximum height shall be one hundred and twenty (120) feet in that area bounded by areas described in Paragraph (1) above; then the centerline of Third Street; then a line northeasterly of, parallel to, and one hundred (100) distant from the northeasterly sideline of Broadway; then the centerline of the former Sixth Street (the MXD district boundary line) to the point of beginning.

(3) Additional Building Height to One Hundred and Eighty Feet with Portions to Two Hundred and Fifty Feet. The maximum height shall be one hundred and eighty (180) feet in that area bounded by the area described in Paragraph (2) above; then the centerline of Third Street; then the centerline of Broadway; and then the centerline of the former Sixth Street (the MXD district boundary line) to the point of beginning. However, portions of buildings may rise above one hundred and eighty (180) feet to no more than two hundred and fifty (250) feet provided the area of all floorplates of portions of buildings above 180 feet do not exceed ten percent of the total area of the Development Parcel.

(4) Portions of Buildings limited to Forty-five Feet. Notwithstanding the provisions of Paragraphs (1) – (3) above, any portion of a building that is within fifty (50) feet of an existing or proposed Public Open Space or single intervening street abutting that open space may exceed 45 feet only if for each floor above 45 feet, that floor is set back an additional 10 feet from the façade of the floor below, until the maximum height is attained, or until a 20 foot setback from the façade at 45 feet is attained. Alternately, a set back of 20 feet from the façade of the building at a height of 45 feet shall be permitted, and the remaining portions of the building allowed to achieve the maximum height permitted in Paragraphs (1) – (3) above or any variation between the two provisions.

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- 13.13.42** The Planning Board shall not approve any Final Development Plan in the PUD-KS District not in conformance with the regulations of Section 13.13.4 above. In the portion of the PUD-KS that allows buildings to 200 feet or more, the Planning Board may approve a building up to 250 feet if other buildings or portions of buildings in that portion of the Development Parcel are no higher than one hundred and fifty (150) feet.
- 13.13.43** In evaluating a development proposal providing building height in excess of one hundred and twenty (120) feet, the Planning Board shall give consideration to evidence presented on the following:
- (a) that increased height will not cast shadows or alter air currents in ways that will unreasonably limit the amount of light and air reaching other buildings in the vicinity to a significantly greater extent than if the building height did not exceed one hundred and twenty (120) feet;
 - (b) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space, and monotonous development;
 - (c) that increased height would not adversely affect and would result in increased sensitivity to the visual and physical characteristics of the particular location through more harmonious relationships to the terrain and to the proposed and existing buildings in the vicinity that have functional or visual relationships to the proposed building;
 - (d) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area; and
 - (e) that the orientation and location of the proposed structure would not otherwise diminish the health and safety of the area around the development parcel.
 - (f) The additional height permits accommodation of GFA transferred from the Eastern Cambridge Development Rights Transfer Donating District.
- 13.13.5** Other Dimensional Requirements. There shall be no minimum width for the development parcel and no minimum width for lots located within the development parcel. There shall be no minimum required front, rear and side yard requirements for a development parcel or for lots located within a development parcel. The Planning Board shall approve all such lot sizes and building setbacks.
- 13.14** *Open Space.* The following Open Space requirements shall be met on each Development Parcel.
- (1) For that portion of a Development Parcel consisting of lots described in Section 13.13.11, Paragraph (1) above, any combination of Public Open Space, Green Area Open Space or Permeable Open Space, as defined in this Ordinance, shall be provided on the Development Parcel and shall in the aggregate equal at least twenty (20) percent of the area of that portion of the Development Parcel.
 - (2) For that portion of a Development Parcel consisting of lots described in Section 13.13.11, Paragraph (2) above, any combination of Public Open Space, Green Area Open Space or Permeable Open Space, as defined in this Ordinance, shall be provided on the Development Parcel and shall in the aggregate equal at least Forty-two (42) percent of the area of that portion of the Development Parcel, subject to the further limitations set forth in Section 13.14.1 below.
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Owners of adjacent Development Parcels may collectively provide the required open space by easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity. In that event each Development Parcel shall, for purposes of this Section 13.10 be deemed to include that portion of such open space as the owners shall allocate to it in chosen legal instrument.

All required open space shall be generally accessible to the public for reasonable periods throughout the day for the purposes for which the open space is designed and approved by the Planning Board, which may include but not be limited to walking, bicycling, active and passive recreation. The Planning Board must approve any proposal to significantly limit public access to the required open space.

- 13.14.1** Required Public Open Space. For that open space required in Section 13.14, Paragraph (2) above, the required open space shall consist in part of a contiguous 7.5 acre Public Open Space to be located in the northwest quadrant of the PUD-KS district as further described and located in the Eastern Cambridge Plan. The Public Open Space shall be under the control of the City of Cambridge through fee simple conveyance, easement, or other legal mechanism acceptable to the City. In the event that the City of Cambridge does not accept the facility, the PUD permittee shall maintain the park for the use of the general public as originally designed and approved by the Planning Board in the Special Permit. The Public Open Space shall be designed and constructed by the permittee according to the conditions of the PUD special Permit and when conveyed to the City shall be environmentally and otherwise suitable for the recreational uses for which it is designed.

However, where circumstances related to the transfer of property from the federal government to other governmental or private entities (for the purpose of private development on a portion or all of the land in the control of the federal government) limit the feasibility of creation of a 7.5 acre park, the Planning Board may at its discretion approve a Final Development Plan providing a contiguous Public Open Space of less than 7.5 acres. In approving such a Final Development Plan the Planning Board shall find that a smaller facility continues to meet the objectives of the Eastern Cambridge Plan and the Eastern Cambridge Design Guidelines,

- 13.14.2** The Planning Board shall encourage development that is located adjacent to a Public Open Space to be physically and functionally integrated with the open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, and similar techniques.

- 13.15** *Perimeter and transition.* Any part of the perimeter of a PUD-KS which fronts on an existing street or public open space should be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping, and screening. Developments in the PUD-KS district should provide integrated pedestrian circulation systems, with particularly strong linkages among the riverfront, Kendall Square, and the Eastern Cambridge neighborhoods.

- 13.17** *Parking and Loading Requirements.* Development the PUD-KS District shall conform to the off street Parking and Loading Requirements set forth in Article 6.000, and in the Schedule of Parking and Loading Requirements applicable to the Residence C-3, Office 3, Business B and Industry B districts, except as modified by this Section 13.17.

- 13.17.1** Off street parking facilities shall be provided as follows:
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(1) Residence: 1 space per unit minimum, 1.5 spaces per unit maximum.

(2) Public Assembly: Number of seats requiring one space: 15.

(3) Institutional: 1 space per 1,800 square feet.

(4) Retail (except as noted in Section 13.17.2 below) and Office:

Ground floor: 1,125 square feet

Other level: 1,800 square feet

13.17.2 Ground Floor Retail and Customer Service Uses. Retail and customer service uses fronting on and having a public entrance onto a public street or a public open space, located at the first floor level of a multistory building, and not exceeding 10,000 square feet for each separately leased establishment shall not be required to provide any accessory parking. Where parking is provided it shall be subject to Section 13.17.1 above.

13.18 Traffic Mitigation Measures. In reviewing a development proposal under the provisions of this Section 13.70 and Section 19.20, the Planning Board shall determine that the proponent has demonstrated, at the time of Final Development Plan approval, a commitment to a Transportation Demand Management Program consistent with the reduce parking mandated in this PUD. The measures to be taken in this program must address:

(1) The amount of parking provided,

(2) The scale of development and the mix of uses proposed, and

(3) The assumptions employed with regard to the proportion of automobile use for those traveling to the site.

For examples of such Measures, the Planning Board shall refer to the Eastern Cambridge Plan, Article 18.000, and the requirements of Section 19.20 in establishing Transportation Demand Management measures applicable to any approved PUD.

13.19 *Relationship to MBTA Urban Ring Transportation Planning Project.* In all PUD application documents, the applicant shall indicate how the proposed PUD development relates physically to the most current plans developed by the MBTA for implementation of the Urban Ring transportation project.

13.110 Residential Uses Abutting Binney Street. Where any Development Proposal locates residential dwellings along Binney Street, the Planning Board shall, in approving a Final Development Plan containing such residential units, be satisfied that the negative impacts of truck and other heavy vehicular traffic on Binney Street will be adequately mitigated for the residents of the proposed dwelling units. Such mitigation shall be achieved through the location of the buildings within the Development Parcel and the distribution of activities within those buildings; the provision of setbacks, landscaping and similar kinds of buffers; the inclusion of non-residential uses at the ground floor; the employment of construction techniques to minimize the transmission

of sound and vibrations; and/or through the employment of any other appropriate measures.

13.20 PUD-1 DISTRICT: DEVELOPMENT CONTROLS

13.21 *Purpose.* The PUD-1 district is intended to provide the opportunity for a medium density mixed use development with commercial, office, and a variety of residential uses.

13.22 *Uses Allowed in a PUD-1 District.*

13.22.1 The following uses alone or in combination with other uses shall be allowed upon permission of the Planning Board:

- (1) All Residence Uses specified in Section 4.31
- (2) All Institutional, Transportation, Communication, and Utility Uses specified in Sections 4.32 and 4.33
- (3) All Office and Laboratory Uses specified in Section 4.34
- (4) All Retail Business and Consumer Service Establishment uses specified in Section 4.35

13.22.2 Any other use, alone or in combination with other uses, contained in Article 4.000 may be allowed by permission of the Planning Board only if a substantial public benefit can be demonstrated by the applicant.

13.23 *District Dimensional Regulations.*

13.23.1 The maximum ratio of floor area to total area of the development parcel shall be 3.0.

13.23.2 The minimum size of the development parcel for PUD shall two and one half (2 1/2) acres. There shall be no specified minimum lot size for lots located within a development parcel. The Planning Board shall approve all lot sizes located within a development parcel.

13.23.3 For the purpose of computing residential density, the minimum land area for each dwelling unit shall be six hundred (600) square feet. Residential density shall be computed based on the entire development parcel.

13.23.4 There shall be no minimum width for the development parcel and no minimum width for lots located within the development parcel. There shall be no minimum required front, rear, and side yard requirements for a development parcel or for lots located within a development parcel. The Planning Board shall approve all such building setbacks.

13.24 *Height.*

13.24.1 The maximum height of any building shall be sixty (60) feet, except as modified by sections 13.24.2 and 13.24.3, below.

13.24.2 The maximum allowable height may be increased to one hundred and ten (110) feet upon permission of the Planning Board, if the Planning Board finds that provision of any of the following amenities provides substantial public benefits:

- (1) open space or recreational facilities dedicated to public use;
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- (2) walkways or similar facilities which enable the public to have access through the PUD to existing areas of unique natural or man-made value;
- (3) development design, which enhances any unique natural or man-made features of the site or abutting areas;
- (4) pedestrian malls, arcades, decks, bridges, or similar facilities within the interior of the PUD which are designed to appeal to the general public;
- (5) designs for residential development which are intended to appeal to a family population;
- (6) provision of residential development for a mixture of economic groups utilizing federal, state, or private programs conditional upon the provision of appropriate legal assurance, that a mixed income development will be implemented;
- (7) other amenities that the developer may propose which the Planning Board feels provide unique advantages to the general public or which contribute to achieving city development goals;

provided, however, that the Planning Board shall not approve any Final Development Plan in which 20 (twenty) percent or more of the land area of the development parcel is covered with buildings or parts of building not exempted by Section 5.23 in excess of eighty (80) feet in height or in which five (5) percent or more of the land area of the development parcel is covered with such buildings or parts thereof in excess of 100 (one hundred) feet in height. Notwithstanding the foregoing, the Planning Board, in its discretion, may accept for review an application for a Special Permit based on a Development Proposal which deviates from the aforesaid provisions of this Section 13.24.2, provided that the Final Development Plan is in conformity with such provisions.

13.24.3 In evaluating a Development Proposal providing height in excess of sixty (60) feet, the Planning Board shall give consideration to evidence presented on the following:

- (a) that increased height will not cast shadows or alter air currents in ways that will unreasonably limit the amount of light and air reaching other buildings in the vicinity to a significantly greater extent than it the building height did not exceed sixty (60) feet;
 - (b) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space, and monotonous development;
 - (c) that increased height would not adversely affect and would result in increased sensitivity to the visual and physical characteristics of the particular location through more harmonious relationships to the terrain and to proposed and existing buildings in the vicinity that have functional or visual relationships to the proposed building;
 - (d) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area; and
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- (e) that the orientation and location of the proposed structure shall not otherwise diminish the health and safety of the Harvard Square area.

13.25 *Useable Open Space.* The minimum ratio of useable open space to the total area of the development parcel as defined in Article 2.000 and Section 5.22 shall be fifteen (15) percent, except as modified below.

13.25.1 The Planning Board may reduce the useable open space requirement if the development is located adjacent to a public open space and if the development is physically and functionally integrated with the open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, or similar factors.

13.25.2 Useable open space shall include parks, plazas, landscaped areas open to the sky, playgrounds, balconies, roofs, developed for recreational or leisure usage, and pedestrian ways such as bridges, decks, arcades, loggias, and gallerias as specified by the Planning Board.

13.26 *Perimeter and Transition.* Any part of the perimeter of a PUD-1 which fronts on an existing street or public open space shall be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping, and screening.

13.27 *Parking and Loading Requirements.* Development in a PUD-1 district shall conform to the Off street Parking and Loading Requirements set forth in Article 6.000, except as modified by this Section 13.27.

13.27.1 Off street parking facilities shall be provided as follows:

- (1) Residence: Minimum number of spaces per group of dwelling units: 10 per 10
- (2) Public Assembly: Number of seats requiring one space: 15.

13.27.2 Institutional, Retail and Office: Number of Square Feet of Gross Floor Area Requiring One Space:

- (1) Institutional: 1,800 square feet
- (2) Retail and Office:

| | |
|---------------|-------------------|
| Ground Floor: | 900 square feet |
| Other Level: | 1,800 square feet |

13.30 PUD-2 DISTRICT: DEVELOPMENT CONTROLS

13.31 *Purpose.* The PUD-2 district is intended to encourage a medium density residential and office development with some supporting retail uses along the riverfront in East Cambridge. It is also intended to encourage an active, high quality development substantially in accordance with the Development Policies outlined in the 1978 East Cambridge Riverfront Plan.

13.32 *Uses Allowed in a PUD-2 District.* The uses listed in this Section 13.32 alone or in combination with each other shall be allowed upon permission of the Planning Board.

Residential uses are preferred. Development of about four hundred (400) new dwelling units in this district is encouraged.

13.32.1 Residential Uses.

- (1) Multifamily dwellings.
- (2) Hotels or Motels.

13.32.2 Transportation, Communication, Utility Uses and Institutional Uses. All uses listed in Sections 4.32 and 4.33 which are allowed or conditionally allowed in the base zoning district.

13.32.3 Office and Laboratory Uses. All uses listed in Section 4.34.

13.32.4 Retail Business and Consumer Service Establishments.

- (1) Store for retail sale of merchandise located in a structure primarily containing non-retail uses, provided that no such establishment shall exceed two thousand five hundred (2500) square feet gross floor area and that no manufacturing, assembly or packaging occur on the premises.
- (2) Barber shop, beauty shop, laundry and dry-cleaning pick-up agency, shoe repair, self-service laundry or other similar service establishment.
- (3) Restaurants or other eating and drinking establishments listed in Subsections 4.35e, f, and g.
- (4) Theater or hall for public gatherings.
- (5) Printing shop, photographer's studio.

13.32.5 Other Uses. Any use not listed in Subsections 13.32.1, 13.32.4 shall be allowed only upon the written determination by the Planning Board that such use is compatible with the development policies for "The Front" district specified in the East Cambridge Riverfront Plan and is necessary to support the predominant uses in the PUD-2 district.

13.33 *District Dimensional Regulations.*

13.33.1 The maximum ratio of floor area to total area of the development parcel shall be 3.0; however, the maximum ratio for a planned unit development in which seventy-five (75) percent or more of the gross floor area of development will be devoted to multifamily dwellings or townhouses shall be 4.0.

13.33.2 The minimum size of a development parcel shall be one acre (43,560 square feet.) A development parcel within the PUD-2 district may contain noncontiguous lots elsewhere in this PUD district or within a contiguous lots elsewhere in this PUD district or within a contiguous PUD district. There shall be no minimum lot size for lots located within a development parcel. The Planning Board shall approve all lot sizes located within a development parcel.

13.33.3 For the purpose of computing residential density, the minimum land area for each dwelling unit shall be three hundred (300) square feet. Residential density shall be computed based on the entire development parcel.

13.33.4 There shall be no minimum width for the development parcel. Buildings on parcels abutting the Cambridge Parkway should be setback from the Parkway Street line. There shall be no minimum required front, rear and side yard requirements for a development parcel or for lots located within a development parcel. The Planning Board shall approve all such building setbacks. A variety of setbacks along Cambridge Parkway and crenellated facades are encouraged along the riverfront rather than a continuous, unbroken building mass.

13.34 *Height.*

13.34.1 The maximum height of any building shall be one hundred twenty (120) feet.

13.34.2 A variety of building heights ranging between five (5) and twelve (12) stories are encouraged within the district.

13.34.3 In order to assure that adequate sunlight reaches public open space along the riverfront, building planes facing or generally oriented toward the riverfront should be stepped back in such a way as to minimize the shadows that are cast on the river side of the Cambridge Parkway.

13.35 *Useable Open Space.* The minimum ratio of useable open space to the total area of the development parcel as defined in Article 2.000 and Section 5.22 shall be twenty-five (25) percent except as modified below.

13.35.1 The Planning Board may reduce the useable open space requirement if the development is located adjacent to a public open space and if the development physically and functionally integrated with the open space by means of buildings orientation, location of building entrances, pedestrian linkages between major activity centers, or similar factors.

13.35.2 Useable open space shall include parks, plazas, landscaped areas open to the sky, playgrounds, balconies, roofs developed for recreational or leisure usage, and

pedestrian ways such as bridges, decks, arcades, loggias, and gallerias as specified by the Planning Board.

13.35.3 Private open space at the ground level should be located and designed to complement and to be connected with existing and planned public open space in the district. Usable open space oriented toward Cambridge Parkway and the riverfront park between Cambridge Parkway and Commercial Avenue is preferred for development parcels abutting those areas. In approving a final development plan, the Planning Board may specify certain landscaping and other site design details to assure that that the development will be compatible with public improvements in the PUD-2 district and with the development policies outlined in the East Cambridge Riverfront Plan.

13.36 *Parking and Loading Requirements.* Development in a PUD-2 district shall conform to the off street Parking and Loading Requirements set forth in Article 6.000, except as modified by this Section 13.36.

13.36.1 Off street parking facilities shall be provided as follows:

- (1) Residence: Minimum number of spaces per group of dwelling units: 10 per 10
- (2) Public Assembly: Number of seats requiring one space: 15

13.36.2 Institutional, Retail and Office: Number of Square Feet of Gross Floor Area Requiring One Space:

- (1) Institutional: 1,800 square feet.
- (2) Retail and Office:
 - Ground Floor: 900 square feet
 - Other Level: 1,800 square feet

13.36.3 On grade parking, not enclosed in a structure, may be constructed in the PUD-2 District only under the following conditions:

- (1) On an interim basis in anticipation of later construction of structured parking provided that there is compliance with each of the following:
 - (a) the future parking structure will be constructed within the District but it may be located either on or off of the lot;
 - (b) construction of the future parking structure will commence within three years of the date of permit application for development on the lot;
 - (c) such future parking structure may be constructed and/or operated by the applicant or by any public or private entity;
 - (d) the future parking structure will contain sufficient spaces reserved for users of the lot to meet the parking requirements for the lot specified in Subsections 13.36.1 and 13.36.2; and
 - (e) binding commitments shall exist to guarantee, to the reasonable satisfaction of the Planning Board that requirements (a) through (d) above shall be satisfied. Such commitments shall be made by negotiated lease
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agreement, deed restriction, covenant, performance bond, or comparable legal instrument.

- (2) On a permanent basis on the lot for visitors parking or for such other limited uses as the user of the lot deems appropriate provided that no more than ten (10) percent of the spaces required by subsections 13.36.1 and 13.36.2 or twenty (20) spaces, whichever is greater, shall be allowed on grade under this Section 13.36.3(2).

13.36.4 The parking requirements specified in this Section 13.36 may be satisfied in total or in part by a lease agreement between the developer and the City, other public entity, or private consortium for use of parking spaces in a public or pooled private parking facility located within the District. The total number of parking spaces leased and constructed for the planned unit development shall be as least equivalent to the requirements specified in subsections 13.36.1 and 13.36.2.

13.40 PUD-3 DISTRICT: DEVELOPMENT CONTROLS

13.41 *Purpose.* The PUD-3 district is intended to provide for the creation of a quality general and technical office which permits larger scale development and supporting commercial activities and which encourages strong linkages between new development at Kendall Square and along the East Cambridge riverfront.

13.42 *Uses Allowed in a PUD-3 District.* The uses listed in this Section 13.42, alone or in combination with each other, shall be allowed upon permission of the Planning Board. Office uses are preferred.

13.42.1 Residential Uses

- (1) Townhouse Development. Any special permits for parking arrangements for townhouse development required by Section 11.10 shall be granted by the Planning Board in a Planned Unit Development in a PUD-3 district.
- (2) Multifamily dwellings.
- (3) Hotels or motels.

13.42.2 Transportation, Communication, Utility Uses and Institutional Uses. All uses listed in sections 4.32 and 4.33 and which are allowed or conditionally allowed in the base zoning district.

13.42.3 Office and Laboratory Uses. All uses listed in Section 4.34.

13.42.4 Retail Business and Consumer Service Establishments.

- (1) Stationery and office supply store.
 - (2) Printing and reproduction service establishment, photography studio.
 - (3) Other store for retail sale of merchandise located in a structure primarily containing nonretail use, provided that no such establishment shall exceed two thousand, five hundred (2,500) square feet gross floor area and that no manufacturing, assembly or packaging occur on the premises.
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- (4) Barber shop, beauty shop, laundry and dry-cleaning pick-up agency, shoe repair, self-service laundry or other similar establishments.
- (5) Restaurants or other eating and drinking establishments listed in Subsection 4.35 e, f, and g.
- (6) Theater or hall for public gatherings.
- (7) Bowling alley, skating rink, tennis center or other commercial recreation establishments.

13.42.5 Other Uses. Any use not listed in subsections 13.42.1 - 13.42.5 shall be allowed only upon written determination by the Planning Board that such use is consistent with the objectives of the PUD-3 district and is necessary to support the predominant uses in the district.

13.43 *District Dimensional Regulations.*

13.43.1 The maximum ratio of floor area to the total area of the development parcel shall be 3.0 for Residential Uses, 4.31 a-h, and Dormitory Uses, Section 4.33 b (7), and 2.0 for all other permitted uses.

A portion or portions of the existing or former Broad Canal without reference to ownership may be counted in calculating the area of the development parcel. Each portion so counted shall be included in computing the development parcel area for one planned unit development.

13. 43.2 The minimum size of the development parcel for PUD shall be two (2) acres. A development parcel within the PUD-3 may contain noncontiguous lots elsewhere in this PUD district or within a contiguous PUD district. There shall be no specified minimum lot size for lots located within a development parcel. The Planning Board shall approve all lot sizes located within a development parcel.

13.43.3 For the purpose of computing residential density, the minimum lot size for each dwelling unit shall be three hundred (300) square feet. Residential density shall be computed based on the entire development parcel.

13.43.4 There shall be no minimum width for the development parcel and no minimum width for lots located within the development parcel. There shall be no other minimum required front, rear and side yard requirements for a development parcel or for lots located within a development parcel. The Planning Board shall approve all such building setbacks. Any buildings on a parcel abutting the Broad Canal should be setback or so designed as to provide a pedestrian pathway along the canal's edge.

13.44 *Height.*

13.44.1 The maximum height of any building shall be two hundred and thirty (230) feet, except as modified in Section 13.44.2.

13.44.2 The Planning Board shall not approve any Final Development Plan in which twenty-five (25) percent or more of the land area of the development parcel is covered with

such buildings or parts of buildings not exempted by Section 5.23 in excess of one hundred and twenty (120) feet in height or in which fifteen (15) percent or more of the land areas of the development parcel is covered with such buildings or parts thereof in excess of two hundred (200) feet in height. Notwithstanding the foregoing, the Planning Board, in its discretion, may accept for review an application for a Special Permit based on a Development Proposal which deviates from the aforesaid provisions of this Section 13.44.2, provided that the Final Development Plan is in conformity with such provisions. Lower buildings or building elements are encouraged closer to the Charles River while taller buildings or building elements are encouraged closer to Kendall Square.

- 13.44.3** In evaluating a Development Proposal providing building height in excess one hundred and twenty (120) feet, the Planning Board shall give consideration to evidence presented on the following:
- (a) that increased height will not cast shadows or alter air currents in ways that will unreasonably limit the amount of light and air reaching other buildings in the vicinity to a significantly greater extent that if the building height did not exceed one hundred and twenty (120) feet;
 - (b) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space, and monotonous development;
 - (c) that increased height would not adversely affect and would result in increased sensitivity to the visual and physical characteristic of the particular location through more harmonious relationships to the terrain and to the proposed and existing buildings in the vicinity that have functional or visual relationships to the proposed building;
 - (d) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area; and
 - (e) that the orientation and location of the proposed structure would not otherwise diminish the health and safety of the area around the development parcel.
- 13.45** *Usable Open Space.* The minimum ratio of usable open space to the total area of the development parcel as defined in Article 2.000 and Section 5.22 shall be fifteen (15) percent except as modified below.
- 13.45.1** The Planning Board may reduce the usable open space requirement if the development is located adjacent to a public open space and if the development is physically and functionally integrated with the open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, or similar factors.
- 13.45.2** Usable open space shall include parks, plazas, landscaped areas open to the sky, playgrounds, balconies, roofs developed for recreational or leisure usage, and pedestrian ways such as bridges, decks, arcades, loggias, and galleries as specified by the Planning Board.
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- 13.46** *Perimeter and transition.* Any part of the perimeter of a PUD which fronts on an existing street or public open space should be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping, and screening. Developments in the PUD-3 districts should provide integrated pedestrian circulation systems, particularly strong linkages between the riverfront and Kendall Square.
- 13.47** *Parking and Loading Requirements.* Development the PUD-3 district shall conform to the off street Parking and Loading Requirements set forth in Article 6.000, except as modified by this Section 13.47.
- 13.47.1** Off street parking facilities shall be provided as follows:
- (1) Residence: Minimum number of spaces per group of dwelling units: 10 per 10.
 - (2) Public Assembly: Number of Seats requiring one space: 15.
- 13.47.2** Institutional, Retail and Office: Number of Square Feet of Gross Area Requiring One Space:
- (1) Institutional: 1,800 square feet
 - (2) Retail and Office:
 - Ground Floor: 900 square feet
 - Other level: 1,800 square feet.

13.50 PUD-4, PUD4A, and PUD 4B DISTRICT: DEVELOPMENT CONTROLS

Unless otherwise indicated in this Section 13.50, the following provisions apply equally to all PUD-4 Districts.

- 13.51** Purpose. The PUD-4 districts are intended to provide the opportunity for creation of a highly active, medium density commercial and residential area with a mix of retail, office and residential uses. Development in the PUD-4 districts shall be generally consistent with the policy objectives set forth in the *Eastern Cambridge Plan* and the guidance provided in the *Eastern Cambridge Design Guidelines* and with the *East Cambridge Riverfront Plan*. The PUD-4A and 4B districts specifically are intended to encourage a mix of uses with a substantial component of housing, with the housing, where possible, located within the development parcel adjacent to the existing residential neighborhood. In the PUD-4A District reuse of existing historic industrial structures for mixed residential, retail and office uses is encouraged. It is the intent of these Districts to encourage an active urban setting around the Lechmere Canal and along public and private streets both during and after customary business hours. Ground floor building spaces oriented toward the Canal and public streets should primarily contain retail or consumer service office uses to the extent possible. Extensive ground level building frontage along the Canal developed to institutional or office uses is not encouraged.
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- 13.52** *Uses Allowed in PUD-4 Districts.* The uses listed in this Section 13.52, alone or in combination shall be allowed. However, the amount and extent of uses may be further regulated and limited in each PUD district as set forth elsewhere in this Section 13.50.
- 13.52.1** Residential Uses. All uses listed in Section 4.31 a-h, and i2.
- 13.52.2** Transportation, Communications and Utility Uses and Institutional Uses. All uses listed in Sections 4.32 and 4.33, which are allowed or conditionally allowed in the applicable base zoning districts.
- 13.52.3** Office and Laboratory Uses. All uses listed in Section 4.34.
- 13.52.4** Retail Business and Consumer Service Establishments. All uses listed in Section 4.35.
- 13.52.5** Open air or Drive in Retail and Service Uses.
- (1) sales place for flowers, garden supplies, agricultural produce conducted partly or wholly outdoors; commercial greenhouse or warehouse;
 - (2) open air place of entertainment;
 - (3) automobile service station where no major repairs are made provided that all lubrication and repairs are carried out within the building and further provided the service station will be located within or attached to a parking garage or other structure as accessory use.
- 13.52.6** Other Uses. Any use not listed in Subsections 13.52.1 - 13.52.5 shall be allowed only upon written determination by the Planning Board that such use is (1) compatible with the Lechmere Canal and Square district in the *East Cambridge Riverfront Plan* and the policy objectives set forth in the *Eastern Cambridge Plan* and the guidance provided in the *Eastern Cambridge Design Guidelines* and (2) necessary to support the predominant uses in the PUD-4 districts.
- 13.53** *District Dimensional Regulations.*
- 13.53.1** Maximum Floor Area Ratio. The maximum ratio of floor area to the total area of the development parcel shall be as set forth below. For purposes of this Section 13.53.1, residential use shall mean those uses set forth in Section 4.31 a-h.
- (1) PUD-4 District: 2.0 for all uses, or the Gross Floor Area of the buildings contained within the Development Parcel at the time of application for a PUD special permit, whichever is greater.
 - (2) PUD-4A District: 2.5 for all uses, or the Gross Floor Area of the buildings contained within the Development Parcel at the time of application for a PUD special permit, whichever is greater. In no case, however, may non-residential uses, including hotels and motels, exceed fifty (50) percent of the total GFA authorized by a PUD special permit.
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(3) PUD-4B: For all uses an FAR twice that permitted for non-residential uses in the applicable base zoning district (i.e. 2.0 in the Business A District; 2.5 in the Industry A-1 district). In no case, however, may the GFA of the non-residential uses, including hotels and motels, authorized by a PUD special permit exceed that resulting from the application of the non-residential FAR permitted in the applicable base zoning district to the PUD parcel area (i.e. 1.0 in a Business A district and 1.25 in an Industry A-1 district). In the block bounded by First, Binney, Second and Athenaeum Streets the Planning Board may permit an FAR of 3.0 for residential uses only if the applicant demonstrates to the satisfaction of the Planning Board that the development meets the policy objectives of the *Eastern Cambridge Plan* and the provisions of the *Eastern Cambridge Design Guidelines* and provides at least forty-five units for moderate income households at or below 120% of the median income for the Boston Standard Metropolitan Statistical Area in addition to those affordable units required to be provided by Section 11.200. The units should be of various sizes and with various numbers of bedrooms, including three and four bedrooms, with the overall goal of providing dwelling units for diverse household sizes.

13.53.2 Minimum Development Parcel. The minimum size of the Development Parcel for a PUD shall be twenty-five thousand (25,000) square feet. A Development Parcel within the PUD-4 districts may contain non-contiguous lots elsewhere in any one of the PUD-4 districts or within a contiguous PUD district. There shall be no specified minimum lot size for lots located within a Development Parcel. The Planning Board shall approve all lot sizes located within a development parcel.

13.53.3 Dwelling Unit Density. For the purpose of computing residential dwelling unit density, the minimum land area for each dwelling unit shall be four hundred and fifty (450) square feet. Residential density shall be computed based on the entire development parcel. Wherever a residential FAR of 3.0 is permitted, the Planning Board may increase the dwelling unit density to one unit per three-hundred (300) square feet of land area.

13.53.4 Other Dimensions. There shall be no minimum width for the development parcel and no minimum width for lots within the development parcel. There shall be no minimum required front, rear and side yard requirements for a development parcel or for lots located within a development parcel. The Planning Board shall approve all such building setbacks.

13.54 *Maximum Height.* The maximum height for any building shall be as set forth below:

(1) PUD-4 district: Eighty-five (85) feet.

(2) PUD-4A district: Sixty-five (65) feet except as provided for below:

(a) Alterations and additions within the footprint of any building or group of abutting buildings existing on the site at the time of the application for a PUD special permit may exceed sixty-five feet but may be no higher than the highest portion of the existing buildings within the Development Parcel.

(b) Building height shall be thirty-five (35) feet in that area bounded by the centerline of Cambridge Street; then by a line easterly of, parallel to and one hundred (100) feet distant from the westerly boundary line of the PUD-4A; then the centerline of O'Brien Highway; then the westerly boundary line of the PUD-4A, to the point of origin.

(3) PUD-4B district: Sixty-five (65) feet except as further limited or permitted below:

(a) In the block bounded by First, Binney, Second and Athenaeum Streets the building height shall be eighty-five (85) feet. However, the Planning Board may permit portions of the development within the block up to one hundred and twenty (120) feet, for residential uses only, if the applicant demonstrates to the satisfaction of the Planning Board that development containing buildings at that height continues to meet the policy objectives of the *Eastern Cambridge Plan* and the provisions of the *Eastern Cambridge Design Guidelines* as demonstrated by the following:

(i) Greater amounts of open space accessible to the general public are created at ground level.

(ii) The heights are distributed on the site in a manner that reduces the visual impact of height above eighty-five feet, particularly as viewed from the residential neighborhood, and are compatible with the existing pattern of building heights on nearby parcels.

(iii) Provision is made for a significant quantity of housing suitable for households of middle income (generally with incomes at or below 120% of the median income for the Boston Standard Metropolitan Statistical Area) in addition to those affordable housing units that may be required by the provisions of Section 11.200.

(iv) The accessory parking provided on the site is located below ground.

(b) Between Thorndike Street and Bent Street building height shall be forty-five (45) feet within 200 feet of the easterly sideline of Second Street.

In approving heights in a PUD development the Planning Board shall be guided by the intent of this Section 13.50 to provide transitions in height between the higher density development along First and Binney Streets and lower density development and lower height along Second Street adjacent to the residential neighborhood.

13.55 *Open Space.* The minimum ratio of open space to the total area of the development parcel shall be twenty (20) percent except as modified below. The open space may be any combination of Useable, Permeable, Green Area or Publicly Beneficial Open Space as defined in Article 2.000 and further regulated in Section 5.22 of the Ordinance.

13.55.1 The Planning Board may reduce the open space requirement if the development is located adjacent to a Public Open Space and if the development is physically and functionally integrated with that open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, or similar factors. The open space requirement may also be reduced to the extent that the

Planning Board finds that such reduction facilitates preservation and reuse of existing historic structures, facilitates the conversion of such structures to residential use, or otherwise advances the urban design objectives as they apply to a PUD's specific location.

13.55.2 Open space may include parks, plazas, landscaped areas open to the sky, playgrounds, balconies, roofs developed for recreational or leisure usage, and pedestrian ways, such as bridges, decks, arcades, loggias, and gallerias as permitted by the Planning Board.

13.55.3 Open space at the ground level held in private ownership to serve the needs of residents and employees of buildings within the PUD should be located and designed to complement and to be connected with existing and planned public open space in the district. In approving a final development plan, the Planning Board may specify certain landscaping and other site design details to assure the PUD will be compatible with public improvement in the districts and with the development policies outlined in the East Cambridge Riverfront Plan and the Eastern Cambridge Plan.

13.56 *Perimeter and Transition.* Any part of the perimeter of a planned unit development which fronts on an existing street or public open space should be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping and screening.

13.57 *Parking and Loading Requirements.* Development in the PUD-4 districts shall conform to the off street Parking and Loading Requirements set forth in Article 6.000, and in the Schedule of Parking and Loading Requirements applicable to the Residence C-3, Office 3, Business B and Industry B districts, except as modified by Section 13.57.1 - 3 below.

13.57.1 Off street parking facilities shall be provided as follows:

(1) Residence: 1 space per unit minimum, 1.5 spaces per unit maximum.

(2) Public Assembly: Number of seats requiring one space: 15.

(3) Institutional: 1 space per 1,800 square feet.

(4) Retail (except as noted in Section 13.17.2 below) and Office:

Ground floor: 1,125 square feet

Other level: 1,800 square feet

13.57.2 Ground Floor Retail and Customer Service Uses. Retail and customer service uses fronting on and having a public entrance onto First Street, located at the first floor level of a multistory building, and not exceeding 10,000 square feet for each separately leased establishment shall not be required to provide any accessory parking. Where parking is provided it shall be subject to Section 13.57.1 above.

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- 13.57.3** The parking requirements specified in this Section 13.57 may be satisfied in total or in part by a lease agreement between the developer and the City, other public entity, or private consortium for use of parking spaces in the public or pooled private parking facilities located within the District. The total number of parking spaces leased and constructed for the planned unit development shall be at least equivalent to the requirements specified in Article 6.000.
- 13.58** *Relationship to MBTA Urban Ring Transportation Planning Project.* In all PUD application documents, the applicant shall indicate how the proposed PUD development relates physically to the most current plans developed by the MBTA for implementation of the Urban Ring transportation project.
- 13.60** **PUD-5 DISTRICT CONTROLS**
- 13.61** *Purpose.* The PUD-5 district is intended to encourage the creation of a highly active urban environment around the planned Alewife transit station and to promote mixed use development with an emphasis on residential uses in association with office and research facilities and supporting retail activities.
- 13.62** *Uses Allowed in a PUD-5 District.* The following uses alone or in combination with each other shall be allowed upon permission of the Planning Board subject to the limitations of this Subsection 13.62
- 13.62.1** Residential Uses, Section 4.31 a-h.
- 13.62.2** Office and Laboratory Uses. All uses listed in Subsection 4.34.
- 13.62.3** Retail, Business and consumer Service Establishments. All uses listed in Section 4.35 provided that they are located in a building with other permitted uses, are located on the first floor or the basement of the building, and do not exceed twenty-five (25) percent of the total Gross Floor Area of the building in which they are located. No individual establishment may exceed two thousand and five hundred (2,500) gross square feet in area unless the Planning Board specifically grants a waiver from this limitation.
- 13.62.4** Telephone exchange (including switching, relay, and transmission facilities serving mobile communications systems) and any towers and antennas accessory thereto, transformer station, substation, gas regulating station, or pumping station subject to the provisions of Section 4.32 g (1). However, any Telephone exchange use as set forth in 4.32 g (1) proposed with any facility having a floor area greater than four hundred (400) square feet shall only be permitted in a building in existence as of September 15, 2000 that, if vacant, has not been occupied by a residential use in the five years immediately preceding the time of application for a Certificate Of Occupancy for the proposed office use, or if occupied, the current use is any office and laboratory use, Section 4.34; any retail business and consumer service establishment, Section 4.35; any light industry, wholesale business or storage use, Section 4.37; or any heavy industry use, Section 4.38.
- 13.63** *District Dimensional Regulations.*
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- 13.63.1** The minimum size of the development parcel for PUD-5 shall be twenty-five thousand (25,000) square feet.
- 13.63.2** The maximum ratio of gross floor area of all structures in the planned unit development to the total area of the development parcel shall be 1.75 for permitted nonresidential uses and 2.0 for permitted residential uses.
- 13.63.3** There shall be no minimum width for the development parcel and no minimum width for lots located within the development parcel. No building shall be located closer to a designated Open Space district than twenty-five (25) feet. It is intended, however, that buildings in the district should be uniformly set back from any major arterial roadways and from any public open space. There shall be no minimum required front, rear, and side yards for a development parcel. The Planning board shall approve all such building setbacks
- 13.63.4** The maximum allowable height of any building in the planned unit development shall be eighty-five (85) feet.
- 13.63.5** The requirements of the Parkway Overlay District shall apply in the PUD-5 District.
- 13.64** *Open Space Requirements.* At least fifteen (15) percent of the Development parcel shall consist of Useable Open Space or Green Area Open space as defined in Article 2.000.
- 13.65** *Parking and Loading Requirements.* A Planned Unit Development in a PUD-5 district shall conform to the off street parking and loading requirements set forth in Article 6.000, except as modified by this Section 13.64.
- 13.65.1** Minimum off street parking shall be provided as required for the residential, office and retail uses in Residence C-3, Office 3, and Business B zoning districts.
- 13.65.2** The parking requirement specified in Section 13.64.1 may be satisfied in total or in part by a lease agreement between the developer and the City, other public entity, or private consortium for use of parking spaces in a public or pooled private parking facility. Such facility may be located outside the development parcel but shall be located within the PUD-5 District.
- 13.66** *Development Guidelines.* In evaluating a Development Proposal in the PUD-5 district, the Planning Board shall give consideration to the following guidelines in addition to those specified for the Alewife Station and Boulevard districts in the 1979 Cambridge Community Development Department report entitled *Alewife Revitalization* and the Urban Design Objectives set forth in Section 19.30.
- a. *Perimeter and Transition.* Any part of the perimeter of a planned unit development which fronts on an existing street or public open space shall be so designed as to complement or to enhance adjacent land uses with respect to scale, density, setback, bulk, height, landscaping and screening.
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- b. *Pedestrian Linkages.* All developments in the PUD-5 district should provide integrated pedestrian circulation systems, particularly strong linkages between the transit station and the commercial activities.
- c. *Retail Uses.* Retail uses in the district should be concentrated as ground floor uses in buildings principally containing other activities. They should be oriented toward public streets, plazas or other active urban open spaces.
- d. *Building Height.* Lower buildings or building elements are encouraged close to principal arterial roadways and existing and planned open spaces.
- e. *Parking Orientation.* Ground level parking located within structures should not abut plazas or major pedestrian ways.
- f. *Open Space.* Development of small scale plazas for outdoor cafes, street vending, retail marketing, and outdoor exhibitions should be located and designed to complement and to be connected with existing and planned public open space in the district.

13.70 PLANNED UNIT DEVELOPMENT IN THE NORTH POINT RESIDENCE DISTRICT.

13.71 *Purpose.* This Section 13.70 is intended to provide the opportunity to create a new residential neighborhood from an area now primarily industrial in character. Retail and office uses and community services are encouraged as part of that neighborhood to serve the residential community and stimulate activity in the area for extended hours throughout the day. Significant new public open space to serve the residents of the district and the general public is desired. It is also intended that development in the PUD in the North Point Residence District will be generally consistent with the policy objectives set forth in the Eastern Cambridge Plan and guidance provided in the Eastern Cambridge Design Guidelines.

13.72 *Applicability.* A special permit for a Planned Unit Development may be granted by the Planning Board in the North Point Residence District in accordance with the requirements of Sections 12.30 and 12.40, and the development controls specified in Section 12.50 and this Section 13.70. All references to and requirements for a PUD district in those sections shall also apply to a Planned Unit Development in the North Point Residence District.

13.73 *Use Regulations.* Any use permitted in Article 16.000 - North Point Residence District may be allowed by the Planning Board, but subject only to the requirements and limitations of this Section 13.70. Other uses, not permitted in Article 16.000 but permitted in a Business B District, may be allowed by the Planning Board upon a written determination that such use is compatible with and advances the policy objectives of the Eastern Cambridge Plan and that it is necessary to support the predominant residential use in the PUD in the North Point Residence District. However, non-residential uses may not constitute more than thirty-five (35) percent of the total authorized Gross Floor Area within any Development Parcel, exclusive of both Gross Floor Area devoted to parking facilities and the additional Gross Floor

Area (GFA) that may be constructed as a result of the application of FAR bonuses permitted in Section 11.200.

13.73.1 Special Provisions Related to Permitted Retail Uses.

The total Gross Floor Area for retail and consumer service establishments authorized by the Planning Board in all approved PUDs within that portion of the PUD in the North Point Residence District located west of Charlestown Avenue shall not exceed 75,000 square feet or 25,000 square feet for that portion of the PUD located east of Charlestown Avenue, unless a finding is made by the Planning Board that additional retail use will better serve the objectives of this Section 13.70 and the objectives of the Eastern Cambridge Plan. All retail and consumer services establishments shall be subject to the following limitations:

(i) In no instance shall any individual retail or consumer service establishment exceed 10,000 gross square feet unless the Planning Board determines in writing that establishments of a greater size better support and serve the residents within the PUD district and better advance the policy objectives set forth in the Eastern Cambridge Plan and the guidance provided in the Eastern Cambridge Design Guidelines.

(ii) No off street parking is provided.

(2) The initial 50,000 square feet of retail and consumer service establishments authorized in total in approved PUDs shall be exempt from any limitations as to non-residential Gross Floor Area as set forth in Section 13.73.1 above subject to the following limitations:

(i) The GFA is located on the ground floor and fronts on and has a public entry onto a publicly accessible street.

(ii) The establishment is located within the 500-radius described in Section 13.74.11 below.

13.73.2 Limitations on Telephone Exchange Uses. Where the floor area of any such use exceeds 400 square feet, the use shall only be located within 250 feet of the Boston/Somerville/Cambridge municipal boundary line and west of Charlestown Avenue.

13.74 Dimensional Requirements.

13.74.1 Floor Area Ratio (FAR) Limitation. The maximum ratio of floor area to the total area of the development parcel shall be 2.4 except as modified by Sections 13.74.11 – 13.74.13 below. Any GFA contained within the head house or transit station serving the MBTA Green Line, excluding any GFA occupied by private retail, office, or other uses, shall not be subject to the FAR limitations set forth in this Section 13.74.1. Where a Development Parcel encompasses lots to which different FAR and non-residential use limitations apply, the FAR and non-residential use limitation regulations

shall be used only to determine the total amount of GFA permitted including the GFA devoted to residential and non-residential uses. Those FAR and non-residential use regulations shall not regulate or limit the distribution of the authorized GFA or uses within the Development Parcel as a whole. That distribution shall be determined by the Planning Board in its approval of the Final Development Plan.

13.74.11 Additional FAR for Proximity to Transit. For any portion of a Development Parcel located within a 500-foot radius of a point defined as the intersection of the centerline of McGrath and O'Brien Highway and the northerly extension of the centerline of First Street, the permitted FAR shall be 3.0. That portion of said Development Parcel shall be permitted to use up to 35% of the allowable FAR for non-residential uses. The portions of the development parcel outside the 500-foot radius shall be subject to the limitations of Sections 13.74.1 and 13.74.12. The additional GFA permitted by this Section 13.74.11 must be located within the portion of the development parcel located within the 500-foot radius. (See Map 13.81)

13.74.12 Additional FAR for Increased Residential Use. For those portions of the PUD district not located within the 500-foot radius described in Section 13.74.11, the FAR permitted in Section 13.74.1 may be increased according to the schedule set forth below as the proportion of GFA devoted to residential uses increases, as proposed in the application for a PUD special permit and approved by the Planning Board.

| Proportion of Residential GFA Proposed and Approved | Permitted FAR |
|--|---------------|
| All residential | 3.0 |
| No less than 90% | 2.9 |
| No less than 85% | 2.8 |
| No less than 80% | 2.7 |
| No less than 75% | 2.6 |
| No less than 70% | 2.5 |
| No less than 65% | 2.4 |

To attain the increase in FAR, the proposed development must attain the percentage thresholds indicated above. There shall be no partial application of the gradations noted above.

13.74.2 Minimum Development Parcel Size. The minimum size of the Development Parcel shall be the larger of (1) one hundred thousand (100,000) square feet or (2) seventy-five percent of the area of a lot or combination of lots (a) in existence as of June 1, 2001 and (b) held in common ownership where it is proposed to incorporate any portion of such lot or lots within the Development Parcel. The area of the development parcel may include land dedicated (after adoption of this Section 13.70 and prior to any application for a PUD special permit under this Section 13.70) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

13.74.21 Where the Development Parcel required in Section 13.74.2 is greater than 100,000 square feet, the applicant may at his own discretion designate a portion of Development Parcel as a Master Plan Area, within which area physical information

may be presented in a more generalized way, subject to more detailed approval by the Planning Board at a time and in a manner determined by the Board in its PUD special permit decision. Within the Master Plan Area location of streets and public parks, the quantities of proposed land uses, general building envelopes, locations and heights shall be indicated in sufficient detail that the Planning Board can reasonably assess the impact of the Master Plan and its general consistency with the objectives of the PUD district and the guidance provided in the Eastern Cambridge Design Guidelines.

13.74.3 Maximum Building Height. The maximum height of buildings in the PUD district shall be eighty-five (85) feet except as otherwise shown on the PUD in the North Point Residence District Height Limitation Map (Map 13.71) and as described herein. Height is further regulated by the provisions set forth in Sections 13.74.31 – 13.74.33 below.

(1) Maximum Building Height of One Hundred and Fifty (150) Feet. The maximum height of buildings shall be 150 feet in the following described areas:

(a) That area bounded by a line beginning as the centerline of Charlestown Avenue, then the centerline of North Point Boulevard and its southeasterly extension to the Cambridge/Boston municipal boundary line, then the Cambridge/Boston municipal boundary line, and then the centerline of O'Brien Highway (Bridge Street) to the point of origin.

(b) That area bounded by a line beginning as the centerline of Charlestown Avenue, then the centerline of O'Brien Highway, then a line northwesterly of, parallel to and 200 feet distant from the northwesterly sideline of Charlestown Avenue, then a line northerly of, parallel to and 225 feet northerly of Reference Line #1 (see Section 13.74.34), then a line turning in a northerly direction which is the northerly extension of the centerline of Second Street to its intersection with the Cambridge/Somerville municipal boundary line, then the Cambridge/Somerville/Boston municipal boundary line to the point of origin.

(2) Maximum Building Height of One Hundred and Twenty (120) Feet. The maximum height of buildings shall be 120 feet in the following described area: That area bounded by a line beginning as boundary of the area described in 13.74.3 1b above; then the centerline of O'Brien Highway; then a line northwesterly of, parallel to and 325 feet distant from the northwesterly sideline of Charlestown Avenue; then a line northerly of, parallel to and 100 feet distant from Reference Line #1 (see Section 13.74.34); then the Special District 1 zoning district boundary line, then the Cambridge/Somerville municipal boundary line to the point of origin.

13.74.31 Portions of Buildings Limited to Sixty-five Feet. Any portion of a building that is within fifty (50) feet of an existing or proposed Public Open Space or single intervening street abutting that open space may exceed 65 feet only if for each floor above 65 feet, that floor is set back an additional 10 feet from the façade of the floor below, until the maximum height is attained, or until a 20 foot setback from the façade at 65 feet is attained. Alternately, a set back of 20 feet from the façade of the building at a height of 65 feet shall be permitted, and the remaining portions of the building allowed to achieve the maximum height permitted by Section 13.74.3, or any variation between the two provisions.

13.74.32 Additional Height to Two-hundred and Twenty Feet. The Planning Board may in its discretion permit no more than three residential buildings (in addition to those permitted in Section 13.74.33 below) to exceed a height of one hundred and fifty (150) feet up to a maximum height of two hundred and twenty (220) feet in that portion of

the PUD in the North Point Residence District west of Charlestown Avenue, subject to the following limitations.

(1) All such buildings shall be located in that portion of the PUD in the North Point Residence District where the base height for all buildings is one hundred and fifty feet.

(2) Portions of said buildings above sixty-five feet are separated from each other by a distance of at least 500 feet.

13.74.33 Additional Height to Two-hundred and Fifty Feet. The Planning Board may in its discretion permit no more than two residential buildings to exceed one hundred and fifty feet in height up to a maximum height of two hundred and fifty (250) feet in that portion of the PUD in the North Point Residence District east of Charlestown Avenue, subject to the following limitations.

(1) All such buildings shall be located in that portion of the PUD in the North Point Residence District where the base height for all buildings is one hundred and fifty feet.

13.74.34 Description of Reference Lines. Reference Line #1 and Reference Line #2 shall be as described herein:

(1) Reference Line #1 is that line which is the northwesterly extension of the centerline of North point Boulevard that, at its intersection with Reference Line #2, is deflected south by 32 degrees and continues thereafter to its intersection with the Special District 1 zoning district boundary line.

(2) Reference Line #2 is that line which is northwesterly of, parallel to, and nine hundred (900) feet distant from the northwesterly sideline of Charlestown Avenue.

13.74.35 Waiver of Height Limitations

In order to provide a limited level of flexibility in developing a comprehensive plan for currently vacant or underdeveloped parcels of land in North Point, the Planning Board may accept a (preliminary) Development Proposal and may approve a Final Development Plan in which one or more buildings or portions of buildings, no higher than one hundred and fifty (150) feet, do not conform to the height limitations set forth in Section 13.74.3 above, subject to the following limitations and conditions.

(1) The building or portion of a building does not extend more than 100 feet into the adjacent, more restrictive height band as set forth in Section 13.74.3 and illustrated on Map 13.71.

(2) The building or portion of a building extending into the more restrictive height band does not exceed the height limit established in the less restrictive height band from which it is being extended.

(3) Such extensions are limited in nature, not inconsistent with the objective of establishing the height band provisions of Section 13.74.3, and are generally consistent with the Eastern Cambridge Design Guidelines.

(4) Other buildings proposed can be demonstrated to be lower than might otherwise be required should the height waiver not be granted by the Planning Board.

(5) The applicant can demonstrate to the satisfaction of the Planning Board that the requested deviations from the height provisions of Section 13.74.3 are reasonable in the context of the proposed Final Development Plan as a whole and permit an organization of buildings, streets, opens space and other features of the Final Development Plan that better serve the public interest and the objectives of the PUD than might otherwise be the case with strict adherence to the height limits established in Section 13.74.3

13.74.36 In the event that two or more height limitation provisions (as set forth in Sections 13.74.3 (1) and (2), 13.74.31, and 13.74.35 above) apply to a single parcel of land defined and approved by the Planning Board as part of a Master Plan and intended to be developed singly and separate from other approved parcels in the Master plan and located within 700 feet of the northwesterly sideline of Charlestown Avenue and within 400 feet south of Reference Line #1, the total allowable massing of a structure on that parcel, as limited in the Master Plan, may be distributed and allocated across the entire parcel without regard to the restrictions set forth in the above referenced Sections to the extent that it furthers the purpose of this Section 13.70 and provided that neither the maximum allowable height applicable on the parcel by the above referenced Sections nor the maximum allowable square footage at the parcel are exceeded. Such redistribution of height may be approved by the Planning Board as part of any design review of individual buildings in the manner set forth in the approved Master Plan.

13.74.4 Other Dimensional Requirements. There shall be no specified minimum lot size for lots located within a Development Parcel. There shall be no minimum lot area per dwelling unit requirement. There shall be no requirement with respect to minimum lot widths or minimum front, side or rear yards in the District. The Planning Board shall approve all proposed building setbacks and lot configurations.

13.75 *Open Space.* Any combination of Public Open Space, Green Area Open Space or Permeable Open Space, as defined in this Ordinance, shall be provided on every Development Parcel and shall in the aggregate equal at least twenty (20) percent of the area of such Development Parcel. Owners of adjacent Development Parcels may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such development parcel shall, for purposes of this Section 13.70 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. This open space requirement shall be subject to the following provisions.

(1) All required open space shall be generally accessible to the public for reasonable periods throughout the day for the purposes for which the open space is designed and approved by the Planning Board, which may include but not be limited to walking, bicycling, active and passive recreation. The Planning Board must approve any proposal to significantly limit public access to the required open space.

13.75.1 Required Public Open Space. Any approved Planned Unit Development whose Development Parcel consists in part or entirely of a lot or combination of lots (a) in existence as of June 1, 2001, (b) held in common ownership, and (c) is at least 250,000 square feet in size shall be obligated to allocate a portion of its open space requirement as set forth in Section 13.75 above as Public Open Space meeting the requirements set forth in Section 13.75.11 below. This obligation shall remain with

such lot or combination of lots in its entirety, notwithstanding any subdivision or change of ownership that may occur after June 1, 2001. In each instance where such a lot or combination of lots, or a portion thereof, is included within a development parcel, the PUD special permit shall only be granted if it is established to the satisfaction of the Planning Board that the Public Open Space required in this Section 13.75.1 can be provided even if its location is on a portion of the lot or combination of lots not included within the Development Parcel under review.

- 13.75.11** Requirements of the Public Open Space. The required Public Open Space shall consist of a contiguous parcel of land of at least two and one half (2.5) acres in size at a location and designed in a manner consistent with the Eastern Cambridge Plan. As defined, the Public Open Space shall be within the control of the City of Cambridge through fee simple conveyance, easement, or other legal mechanism acceptable to the City. The Planning Board in its conditions shall establish the time by which the facility shall be completed. In the event that the City of Cambridge does not accept the facility, the PUD permittee shall maintain the park for the use of the general public as originally designed and approved by the Planning Board in the Special Permit. The Public Open Space shall be designed and constructed by the permittee according to the conditions of the PUD Special Permit and when conveyed to the city shall be environmentally and otherwise suitable for the recreational uses for which it is designed.

Only one facility of 2.5 acres or greater shall be required within the North Point PUD District. Once the Public Open Space obligation has been met, any remaining open space required for any PUD need only be consistent with the requirements of Section 13.75 and the applicable guidelines of the Eastern Cambridge Plan. The required facility shall be created according to the following rules.

(1) Where the Development Parcel includes a lot or combination of lots defined in 13.75.1 above where that lot or combination of lots is at least 250,000 square feet in area but less than ten acres, and where the development parcel encompasses a portion of the site of the required Public Open Space as illustrated in the Eastern Cambridge Plan, the open space required in the PUD shall be allocated in the approved Final Development Plan in part or in full at the proposed location of the Public Open Space.

(2) Where the PUD Development Parcel includes all or a portion of a lot or combination of lots with an area greater than 10 acres, the PUD Final Development Plan shall be required to create in its entirety a 2.5-acre Public Open Space consistent with the Eastern Cambridge Plan; if development of a 2.5-acre Public Open Space has previously occurred in whole or in part, that portion of the Public Open Space not designated in any previously approved PUD shall be provided.

- 13.76** *Parking and Loading Requirements.* Off-street parking and loading requirements shall be the same as currently specified in Article 6.000 and in the Schedule of Parking and Loading Requirements applicable to the Residence C-3, Office 3, Business B and Industry B districts, except as modified below.

- 13.76.1** Parking facilities may be located on the lot they serve or may be located in whole or in part in one or more pooled private or public parking facilities located anywhere within the PUD in the North Point Residence District.

- 13.76.2** Parking and loading requirements shall be as follows:

(1) Residential Uses: 1 space per unit minimum and 1.5 spaces per unit maximum.

(2) General Office Uses: 1 space per 1,250 gross square feet minimum and 1 space per 625 gross square feet maximum.

(3) Technical Office for Research and Development Uses: 1 space per 1,675 gross square feet minimum and 1 space per 840 gross square feet maximum.

(4) Retail and Consumer Services: No accessory parking shall be required if the retail and consumer service uses are located on the ground floor and front on and have a public entry directly onto a publicly accessible street.

13.76.21 Notwithstanding the provisions of Section 13.76.2 above, the total number of parking spaces serving non-residential uses in the PUD in the North Point Residence District shall not exceed 2,500 spaces, allocated to each Development Parcel at the rate of 1.2 spaces per 1,000 square feet of land in the Development Parcel.

13.77 *Approval of Roadway Plan.* No Final Development Plan shall be approved by the Planning Board without Planning Board approval of a Roadway Plan. The Planning Board shall not approve a Roadway Plan (which shall include all proposed roads, streets, driveways and other motor vehicle circulation routes) as part of the Final Development Plan unless the Planning Board finds that the impact of traffic projected to use the approved roadways is consistent with the objective of the PUD in the North Point Residence District to limit the extent of single occupancy vehicle access to the district and is consistent with the traffic findings required in Section 19.20 – Project Review Special Permit.

Notwithstanding the provisions of Section 6.22.4, all accessory parking for development approved in a Final Development Plan shall be provided within the approved PUD area unless the Planning Board specifically allows accessory parking at other locations, consistent with all other provisions of Article 6.000.

13.78 *Other Provisions*

13.78.1 Signs. The sign regulations of Article 7.000 applicable to Retail, and Office Districts shall be applicable in the District.

13.78.2 Perimeter and Transition. Any part of the perimeter of a planned unit development which fronts on a public open space for not less than two hundred and fifty (250) feet or is immediately adjacent to and within three hundred (300) feet of the Charles River shall be so designed as to complement and harmonize with adjacent land uses (existing or proposed) with respect to scale, density, setback, bulk, height, landscaping, and screening.

13.78.3 Traffic Mitigation Measures. In reviewing a development proposal under the provisions of this Section 13.70 and Section 19.20, the Planning Board shall determine that the proponent has demonstrated, at the time of Final Development Plan Approval, a commitment to a Transportation Demand Management program consistent with the reduced parking mandated in this Section 13.70. The measures to be taken in this program must address:

(1) The amount of parking provided,

(2) The scale of development and the mix of uses proposed, and

(3) The assumptions employed with regard to the proportion of automobile use for those traveling to the site.

For examples of such Measures, the Planning Board shall refer to the Eastern Cambridge Plan, Article 18.000, and the requirements of Section 19.20 in establishing Transportation Demand Management measures applicable to any approved PUD.

13.78.4 Relationship to MBTA Urban Ring Transportation Planning Project. In all PUD application documents, the applicant shall indicate how the proposed PUD development relates physically to the most current plans developed by the MBTA for implementation of the Urban Ring transportation project.

13.79 *Development Flexibility: Additional Permitted FAR and Height*

Notwithstanding any other provisions of this Section 13.70, the Planning Board may accept a (preliminary) Development Proposal and may approve a Final Development Plan that exceeds (1) the FAR limits otherwise required and (2) the proportion of non-residential GFA otherwise required subject to the following limitations and conditions:

13.79.1 Previously Issued Planned Unit Development Special Permits

The mix of uses, Gross Floor Area, and other dimensional characteristics of any existing construction authorized by the grant of a PUD Special Permit, issued before the adoption of this amended Section 13.70, shall be permitted by this Section 13.70. Such mix of uses, GFA, and dimensional characteristics may be reauthorized by any subsequent PUD Special Permit issued for the same Development Parcel under procedures established in this Section 13.70.

13.79.2 Additional Gross Floor Area for Above Ground Structured Parking

The Planning Board may permit additional Gross Floor Area for the exclusive use of structured accessory parking located above grade subject to the following limitations. It is the intent of this Section 13.79.2 to permit the use of above ground parking structures as an acoustical and visual barrier between occupied space (particularly housing within the district and beyond the district in the existing East Cambridge neighborhood) and the active rail lines, yards and operations therein abutting the North Point Residence District. In permitting such above ground structured parking, it is expected that the authorized structures will be architecturally and visually well integrated with the development as a whole and not in themselves negatively impact the quality of the development.

(1) The parking facility shall be located adjacent to the Somerville municipal boundary line, but in no case may it extend further than one hundred and fifty (150) feet from the lot line between property used for active rail use and property proposed to be developed within the Development Parcel for other uses or on other land proposed to be developed in conjunction with any development authorized by this Section 13.70. It is understood that such lot line and land may be in part located in another municipality.

(2) The facility shall have a height no greater than twenty-five (25) feet unless the Planning Board specifically authorizes a greater height.

(3) The design of the garage shall be of a quality comparable to that of other, non-parking structures in the PUD.

(4) The structure shall be screened with active uses to the maximum extent possible, but at least where it is likely to be viewed from the principal pedestrian pathways within the PUD.

(5) The applicant shall provide to the Planning Board a study prepared by an acoustical engineer outlining the anticipated impact of the proposed development plan on the abatement of sound transmission from the adjacent rail yards to areas within the PUD area and in the residential East Cambridge neighborhood south and west of Msgr. O'Brien Highway.

13.79.3 Additional Gross Floor Area for Non-residential Uses

The Planning Board may permit additional Gross Floor Area for permitted non-residential uses subject to the following limitations:

(1) The additional non-residential GFA authorized shall not exceed that resulting from the application of an FAR of 0.26 and it shall be in addition to and not a substitute for the residential uses required in Section 13.74.1. In no case, however, shall the total authorized GFA for the approved PUD exceed an FAR of 2.66. The provisions of Section 13.74.11 (Additional FAR for Proximity to Transit) may continue to apply but in no case may the FAR permitted in that section exceed 3.0.

(2) No additional parking shall be provided for this additional authorized non-residential GFA. The parking supply upon which that determination is made shall be that supply permitted by the Planning Board for the development and mix of uses permitted in Section 13.74.1.

(3) The applicant shall demonstrate through the Project Review Special Permit process, Section 19.20, that the project with the additional non residential GFA shall not create a more adverse impact upon traffic than the quantity and mix of development permitted in Section 13.74.1. It is anticipated that such a standard shall be met through limitations as to the uses permitted in the additional GFA and through the provision of permanent transit enhancement improvements above those required to be provided to gain approval of the GFA and use mix permitted in Section 13.74.1. In no case, however, shall the additional non-residential FAR permitted in this Section 13.79 be granted by the Planning Board unless the relocation of the MBTA Green Line Station at Lechmere is a part of the PUD application and the Planning Board is satisfied that its construction at a new North Point location will occur prior to the occupancy of any element of the project utilizing the additional non-residential GFA.

(4) To be assured that the transportation related behavior of residents and commercial tenants predicted to occur in the Traffic Study to be conducted under Section 19.20 is borne out in fact as structures are occupied, the Planning Board may require monitoring of actual traffic generation by those residents and

employees actually occupying the site. In its decision the Planning Board may establish criteria and procedures for the timing of such subsequent monitoring of traffic generation, including but not limited to the proportion of total development that is occupied, the length of time such buildings have been fully occupied, and the mix of uses in place.

13.79.4 Provision of Public Benefits

In reviewing any application for additional Gross Floor Area as authorized in Sections 13.79.2 and 13.79.3 above, the Planning Board may consider demonstrated efforts on the part of the applicant to provide permanently affordable housing for middle income households having an income at or below one hundred and twenty (120) percent of the median income for households in the Boston Standard Metropolitan Statistical Area, in addition to those affordable units otherwise required in Section 11.200 and (2) to facilitate the provision of a public sports facility.

13.710 Monitoring of Compliance with PUD Conditions

The Planning Board shall establish in its Decisions the details for monitoring of the project and its performance, as it is implemented phase by phase. In anticipation of such conditions, the applicant shall provide in the application a proposed plan for such long-term monitoring and review.
